



## The “Bravi Ragazzi” of Continassa convicted for racism

by Paola Andrisani

Valette neighbourhood, outskirts of Turin, 7 December 2011,<sup>1</sup> a sixteen-year-old girl is returning home in broad daylight when two young foreigners approached her and extort her cell phone.

According to the girl, the two of them then took her up a hill in a park and raped her. "They were foreigners - tells the young girl - they stank; one of them had a scar on his face. I was a virgin. It was terrible". It is her brother who find the girl ("still without clothes," reports the press), and then calls the Carabinieri - the Italian police force, who take her to the hospital ("We are sure it was two *Romanian gypsies* living nearby. I saw them fleeing and tried to chase them, but without success," says the girl's brother<sup>2</sup>.)

Finally, they report the sexual assault. The news spreads in the neighborhood and residents organize of a torchlight procession that takes place on December 10 in solidarity with the victim and to protest against an "unsustainable" situation and ask to "clean up the Continassa and get rid of some certain scoundrels who ruin the life of an innocent girl"<sup>3</sup>.

About 400-500 people participate in the torchlight procession. A group of them - some armed with sticks - break away from the rest at Via delle Pervinche aiming towards Cascina Continassa - home of about 50 Roma - spreading panic among them, who flee while the groups of attackers smash all they find.

After forcing the inhabitants of the settlement to flee and destroying their few belongings, the group of attackers - amid the applause of the literally "demonized"<sup>4</sup> crowd - set fire to a building and a couple of shacks (with the same torches used for the procession that was supposed to be peaceful). Fortunately, the episode did not cause victims or wounded.

It is the brother of the "raped" girl who, accompanied by the Carabinieri, tries to stop the blind fury approaching the attackers, when the camp is already burning. He convinces them to desist. Only then fire trucks can enter the camp -of which will then remain only the carcasses – and start putting out the flames.

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<sup>1</sup> Please see: P. Andrisani, "Continassa: la violenza simulata e la violenza subita", in Lunaria (a cura di), *Cronache di ordinario razzismo. Terzo libro bianco sul razzismo in Italia*, 2014, pag. 123-127.

<sup>2</sup> Please see: "Valette: ragazza di 16 anni violentata, si cercano gli aggressori" del 10 December 2011, <http://www.torinotoday.it/cronaca/violentata-ragazza-16-anni-vallette-torino.html>.

<sup>3</sup> Please see

[https://torino.repubblica.it/cronaca/2011/12/13/foto/il\\_volantino\\_infilato\\_nelle\\_buche\\_dei\\_residenti\\_delle\\_vallette-26516661/1/](https://torino.repubblica.it/cronaca/2011/12/13/foto/il_volantino_infilato_nelle_buche_dei_residenti_delle_vallette-26516661/1/).

<sup>4</sup> This is how one of the eight defendants, Davide Moscatiello, defined it in the courtroom at the hearing in June 2015: "There were young people, but also elderly people and families who screamed shitty gypsies, you have to burn".



Two people - a 20-year-old and a 59-year-old men - are identified and arrested for aggravated damage and the then mayor of Turin, Piero Fassino, firmly condemns the violence<sup>5</sup> in the Roma camp.

Meanwhile, the truth comes out. There was no rape and no violence from foreign citizens. The girl had made it all up, just to cover up and justify a sexual intercourse with her boyfriend. But it was too late to stop the violence the alleged episode had unleashed against the Roma.

Doctors of the Sant'Anna hospital had confirmed the sexual intercourse, without however expressing themselves about the violence, of which, instead, the girl's brother and family were absolutely convinced, to the point of organizing the torchlight procession, which from a peaceful demonstration has turned into a real pogrom.

### **The investigations, the arrests and finally convictions for racism**

And while the press is constructing a "textbook" media case, the investigators focus their investigations on a group of Ultras of the football team Juventus<sup>6</sup>, since they had been seen at the torchlight procession, and two of them had been stopped by Carabinieri while fleeing from the camp set on the fire. The investigations conducted by the Prosecutor Paola Longo later confirmed the responsibilities of some members of the most lunatic fringe of the Juventus fans<sup>7</sup>.

The first hearing of the trial took place on July 15, 2014 (in this hearing, p.p. no. 15679/12 will be joined to p.p. no. 15679/12. 29654/11). Seven people are accused of "incitement to racial hatred" (for shouting phrases like "let's burn them all" and incited to assault the Cascina Continassa), arson attack with aggravating of racial hatred, private violence (in connection with the assault of a journalist and a photographer) and for preventing the rescue.

On July 14, 2015, the Ordinary Court of Turin, Criminal Section V, sentenced six people and acquitted the seventh, recognizing that the crimes committed should be qualified as crimes based on "racial hatred", with application of the aggravating circumstance under Article 3 L. 205/1993, as assumed by the Prosecutor.

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<sup>5</sup> "It is absolutely unacceptable - he says bluntly - lynching people for "the sole reason that they are foreign citizens", Please see "Dal falso stupro all'incendio del campo Rom" dell'11 December 2011, <http://www.rai.it/dl/grr/notizie/ContentItem-9d94253c-c5b0-4701-b6bf-b536720e6933.html>.

<sup>6</sup> According to the prosecutor's office, the defendant Moscatiello, who at that time was the contact person of the Juventus ultras group 'Bravi Ragazzi', would have at least initially incited the crowd. Moscatiello in the courtroom claimed to have learned of the lie from a phone call of a Digos agent (whom he knew for his activities at the stadium), while the parade was leaving and to have tried to calm down without succeeding.

<sup>7</sup> Among them, there are also the Drughi, the extreme right biggest fan group. "The Drughi - as per verdict - have taken the military initiative, sending away women and children, throwing paper bombs and setting the Continassa on fire.



Così scrive il giudice nelle motivazioni della sentenza di primo grado:

So writes the judge in the verdict:

"The atavistic and never dormant ethnic hatred towards the "gypsies", brought to the extreme levels, has caused normal citizens to carry out acts of inhuman violence towards the Roma camped within the area of Continassa, burning down their shacks, praising their death, delaying the rescue by blocking the vehicles of the firefighters rushed to extinguish the devastating fire started with flashlights and lighters. An unworthy episode that not even the photographs can show in all its brutality.<sup>8</sup>

The judge observes that "part of the troublemakers" who took part in the event "belong to the group of 'Bravi ragazzi', Juventus fans": this "had the effect of overheating the minds" even if - the judge points out - "we cannot isolate this violent group from the context and consider it solely responsible for what happened". In any case, "this intrusion unleashed the anger, frustrated rationality, cancelled the sense of humanity, gave life to an animalistic fury"<sup>9</sup>.

According to the judge "the aggravating circumstance of racial hatred" is also evident in the "leaflet that indicated the parade and the tenor of the incitements and insults shouted by the demonstrators. The real objective of the action were not the unknown perpetrators of the alleged sexual violence, but "the gypsies" in their totality, as belonging to an inferior and despised ethnic group". "The tenor of that flyer - continues the judge - is the demonstration of how the legitimate indignation for a violence that at that time no one suspected was a slanderous invention, had immediately turned into a campaign of racial hatred against the Roma stationed at Continassa".

The same aggravating circumstance of having acted with the "aim of discrimination or ethnic, national, racial or religious hatred"<sup>10</sup> also emerged, according to the judge of first instance, from slogans such as "let's burn them all", "let's kill them all" and "let them burn", "a clear demonstration of indiscriminate hatred towards the entire Roma population".

In the judgement, the Municipality of Turin, together with ASGI, Idea Rom Onlus and ERRC<sup>11</sup>, were constituted as civil parties. The Court awarded each of the injured parties (4) the sum of €15,000 as compensation for the damage suffered and €3,000 to each of the associations formed. The money will be used to continue the associations' actions to protect the fundamental rights of the Roma.

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<sup>8</sup> Please see Verdict of Tribunale Ordinario di Torino, Sezione V Penale del 14 luglio 2015, depositata in ottobre 2015, p.p. 24691/11 (+ 29654/11) nr e p.p. 3690/14 (+5630/12) Trib., pag 4.

<sup>9</sup> Ibid, pag. 7.

<sup>10</sup> The verdict also quotes the New York Convention (March 7 1966), turned into law by L. 654/75 (v. Cass. Sez. V, sent. 11590/10).

<sup>11</sup> Please see here the press release of the associations:

<http://www.asgi.it/notizia/significativa-condanna-penale-per-un-violento-assalto-a-uncampo-rom-in-italia/>.



Despite the significant delay in the investigation and the beginning of the proceedings, after four years, the Tribunal has succeeded in securing justice for the victims of this brutal racist attack<sup>12</sup>. But the proceedings would continue in the Court of Appeal.

On 13 July 2018, then, three years later, comes the second degree judgement. Four sentences and one acquittal. The judges of the Court of Appeal of Turin confirmed for four defendants the charges of first instance, including “aggravating racial and ethnic hatred”. This is the first conviction for an offence committed with “the aggravating circumstance of racial hatred”, emitted after a directive issued by the Turin Public Prosecutor’s Office itself<sup>13</sup>.

On appeal, the defendants were sentenced to sentences of between 2 and 4 years, reduced compared to the first degree, when there were seven defendants and the sentences were between 6 years and six months and one year and three months.

Despite the severity of the exemplary sentence, outside the courtroom, someone had the courage to shout that it was “a masquerade”.

And despite the fact that it was a sentence destined to be remembered, it would be worth asking why the young sixteen years old girl from Turin, as well as Erika a few years earlier, and many other young women in minor cases, thought of inventing a story of violence using foreign citizens as scapegoats. And it would be worth deeply questioning why, in Italy, from Opera to Ponticelli, from Rosarno to Turin, it has become more and more normal to carry out racist and squadrist raids, as well as why in few cases they are recognized as such and adequately punished.

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<sup>12</sup> “The repression of crimes committed with the aim of racial hatred is particularly rare in Italy because the law on the issue is not entirely adequate. After the sentence of July 14th, we hope that the Italian authorities will take new steps to strengthen the persecution of such crimes. At the same time, civil society must support victims and vulnerable communities also through concrete actions to support the authorities in this repressive action”, commented Mr. Lorenzo Trucco, ASGI President.

<sup>13</sup> The document is available here: [https://www.asgi.it/wp-content/uploads/2018/07/direttiva-hate-crime-proc-to\\_10072018\\_133848.pdf](https://www.asgi.it/wp-content/uploads/2018/07/direttiva-hate-crime-proc-to_10072018_133848.pdf).